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March 21, 1997
Federal Communications Commission
Office of the Secretary

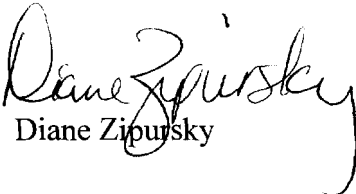
William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Re: MM Docket 87-268, Advanced Television Systems and Their Impact
Upon the Existing Television Broadcast Service

Dear Mr. Caton:

Enclosed is a copy of a letter filed today with the Chairman and
Commissioners in the above-captioned proceeding.

Respectfully,


Diane Zipursky

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March 21, 1997

The Honorable Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Dear Mr. Chairman:

The Commission is approaching final action on the allotment and assignment of channels for digital broadcast television. This action will "officially" begin the transition that will end with a vastly superior free television service for the American people and with the reclamation of a large amount of spectrum for other uses. We are committed to the concept of an aggressive roll-out of digital television channels, especially in the major markets where early acceptance of this technology is crucial. This will encourage the manufacturers of consumer and professional digital television equipment to produce the equipment that is necessary for expeditious nationwide conversion to this exciting new technology.

We congratulate you and the current Commission for your leadership in these final stages of DTV authorization. This Commission and previous Commissions have been unwavering in supporting the development of both the DTV transmission standard and the immensely complicated methodology to govern allotment and assignment of temporary second channels. As you know, this methodology has as one of its fundamental principles the replication of current NTSC service areas and the maximization of those service areas where possible.

We write to you today to draw your attention to two recent developments which could undermine this enormously successful effort. The first is a proposal to impose a permanent power cap on DTV television stations of one megawatt, which would have the potential to decrease the service areas of hundreds of stations by as much as 10 to 20 miles in every direction. Such a

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cap would disenfranchise untold numbers of current NTSC viewers of individual stations and would be utterly inconsistent with the replication principle for which there has been industry and Commission consensus since the beginning of this process. This principle was most recently articulated by 200 broadcast signatories, representing 660 VHF and UHF station licensees, in their November 22, 1996 joint comments in the allotment/assignment proceeding.

The second related development is the last-minute disavowal by Viacom and certain other UHF broadcasters of a compromise reached after weeks of negotiations, which commits all parties to field testing over a two-year period to investigate UHF broadcasters' concerns about "real world" replication of their DTV signals. The compromise provides that during this two-year period lower power UHF broadcasters with UHF assignments generally would be permitted to double their power levels while higher power VHF broadcasters with UHF assignments would be temporarily limited to no more than one megawatt. At the end of that period, all agreed that the Commission could, and should, take appropriate steps to correct any demonstrated replication disadvantage incurred by those low-power UHF broadcasters, but the arbitrary power level changes would presumptively expire. That agreement was, like many other consensus industry positions reached in this long process, intended to be a fair compromise that was driven by the necessity for getting on with the transition to digital television.

In place of the power level compromise, the Viacom group is now asking the Commission to defer adoption of an allotment/assignment table for a period of months to allow for collection of field data to test their concerns. Alternatively, Viacom suggests that the FCC declare its readiness at the end of the two-year testing period provided for in the compromise to make radical alterations in the allotment/assignment table. Viacom's approach would undermine if not destroy the Commission's accelerated build-out plans. The DTV build-out cannot begin until stations are finally assigned digital licenses. And if those licenses are subject to substantial risk of change, broadcasters' investment in their new facilities would be wasted. This would not only be grossly inequitable; it would also inevitably set back the build-out timetable.

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We strenuously urge the Commission to proceed to adopt an allotment/assignment order in April. This order should fully implement the fundamental goal of service area replication, reject an across-the-board permanent power cap, and respect the compromise agreement reached in good faith with concerned UHF licensees to commit resources to exploring their power level concerns in a way that is consistent with the expedited introduction and availability of digital broadcasting to all of the current NTSC audience.

Respectfully,



Robert A. Iger
President,
ABC, Inc.



Peter A. Lund
President &
Chief Executive Officer
CBS Television
and Cable Group



Robert C. Wright
President &
Chief Executive Officer
National Broadcasting
Company, Inc.

cc: Commissioner James H. Quello
Commissioner Rachelle B. Chong
Commissioner Susan Ness